

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE AUTOMOTIVE PARTS ANTITRUST LITIGATION

Master File No. 12-md-02311
Honorable Sean F. Cox

THIS DOCUMENT RELATES TO:

ALL END-PAYOR ACTIONS

DECLARATION OF
WILLIAM REISS IN
OPPOSITION TO
ENTERPRISE FLEET
MANAGEMENT, INC.'S
MOTION TO ENFORCE END
PAYOR SETTLEMENTS AND
STRIKE STIPULATION

**DECLARATION OF WILLIAM REISS IN OPPOSITION TO
ENTERPRISE FLEET MANAGEMENT, INC.'S MOTION TO ENFORCE
END PAYOR SETTLEMENTS AND STRIKE STIPULATION**

I, William Reiss, hereby declare the following in accordance with the provisions of 28 U.S.C. § 1746:

1. I am a partner at the law firm of Robins Kaplan LLP, Interim Co-Lead Counsel for the End-Payor Plaintiff Classes. I submit this declaration in support of End-Payor Plaintiffs’ Opposition to Enterprise Fleet Management, Inc.’s (“EFM’s”) Motion to Enforce End Payor Settlements and Strike Stipulation.

2. The following facts are based on my personal knowledge and knowledge acquired in my role as Co-Lead Class Counsel in this litigation. If called upon as a witness, I could and would testify competently to them.

3. I have also reviewed the Declarations of Emma K. Burton and Ryan C. Koenig filed in Support of EFM's Motion to Enforce End Payor Settlements and Strike Contradictory and Improper Stipulation and take issue with their characterization of certain facts.

4. I was involved in crafting and negotiating most of the settlement agreements at issue in this case. It was never the intent of the settling parties to include entities who purchase vehicles for the purpose of immediately re-leasing them in the settlement classes.

5. Crowell first raised a question about FMCs in an email dated October 17, 2019. On November 12, 2019, it filed an initial claim on behalf of EFM. Crowell later supplemented the EFM claim on March 16, 2020. A true and accurate copy of that supplement claim form is attached here as **Exhibit D**.

6. EFM is the only FMC represented by Crowell. The March 16, 2020 claim form is the only current claim form on file for EFM. To my knowledge, all of the vehicles claimed by EFM are subject to long-term lease agreements and none were claimed or purchased for EFM's own use or account. Neither Crowell nor EFM have provided any evidence suggesting otherwise.

7. In total, in the claim form attached as **Exhibit D**, EFM seeks to recover for 1,043,056 vehicles and 2,618,908 replacement parts.

8. Both before and after filing EFM's claim, Crowell filed a litany of claims on behalf of true end-payors, including many who on information and belief are EFM's customers. Either way, these claims seek compensation for the same vehicles (by VIN) claimed by EFM.

9. Once the extended claims-filing deadline passed, the Claims Administrator began the process of de-duplicating claims by VIN number. At that point, we discovered that of the 1,043,056 vehicles claimed by EFM, 503,316 of them—48.25%—were also claimed by another entity and most—more than 500,000 of them—were claimed by another entity also represented by Crowell. In many cases, in fact, Crowell filed not one, not two, but *three separate claims* for a single vehicle.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed this 25th day of April 2022, in New York, New York.

/s/ William Reiss
William Reiss